

Federal Defenders
OF NEW YORK, INC.

Southern District
52 Duane Street, 10th Floor
New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

Tamara Giwa
Executive Director

Jennifer L. Brown
Attorney-in-Charge

November 8, 2024

BY ECF

Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: United States v. Haji Najibullah,
(S2) 14 Cr. 401 (KPF)

Dear Judge Failla,

We write with the Government's consent to respectfully request that the Court permit the parties to file a letter by Tuesday, November 12, 2024, regarding next steps in the above-captioned case following the defendant's November 7, 2024, notice of interlocutory appeal from the Court's denial of his combatant immunity motion.

Respectfully Submitted,

/s/

Andrew John Dalack
Mark Gombiner
Samuel Jacobson
Ariel Werner
Assistant Federal Defenders
Tel.: (212) 417-8768

Cc: Government Counsel

Application GRANTED. The parties shall file a joint letter regarding next steps following the notice of interlocutory appeal (Dkt. #138) on or before **November 12, 2024**.

The Clerk of Court is directed to terminate the pending motion at docket entry 139.

Dated: November 8, 2024
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE